

10/510396

Merchant & Gould

United States Patent Application

Rec'd PCT/PTO

05 OCT 2004

For Utility,
PCT, and
Design Applications

COMBINED DECLARATION AND POWER OF ATTORNEY

INSTRUCTIONS

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert TITLE of invention

"SYNTACTIC POLYOLEFIN COMPOSITION FOR PIPE COATING"

Check a or b

The specification of which

a. ☐ is attached hereto

b. ☐ was filed on _____

If "b" checked, complete

as application serial no. _____

and was amended on _____ (if applicable)

If PCT Application

(in the case of PCT -filed application)

Insert Int. application
number & filing date

described and claimed in international no. PCT/SE03/00607 filed 16 April 2003

and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a). (Reprinted on back side).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

Prior applications
Check a or b

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

If "b" checked, complete

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Sweden	0201129-4	16 April 2002	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code § 120/365 of any United States and PCT international application(s) listed below and. insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

For Continuation-in-Part
(CIP) Applications,
complete

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

Revised 04/12/00

BEST AVAILABLE COPY

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.	Reg. No. 40,481	Gregson, Richard	Reg. No. 41,804	Qualey, Teny	Reg. No. 25,148
Anderson, Gregg I.	Reg. No. 28,828	Gresens, John J.	Reg. No. 33,112	Reich, John C.	Reg. No. 37,703
Batzli, Brian H.	Reg. No. 32,960	Hamre, Curtis B.	Reg. No. 29,165	Reiland, Earl D.	Reg. No. 25,767
Beard, John L.	Reg. No. 27,612	Hillson, Randall A.	Reg. No. 31,838	Schmaltz, David G.	Reg. No. 39,828
Bems, John M.	Reg. No. 43,496	Holzer, Jr., Richard J.	Reg. No. 42,668	Schuman, Mark D.	Reg. No. 31,197
Black, Bruce E.	Reg. No. 41,622	Johnston, Scott W.	Reg. No. 39,721	Schumann, Michael D.	Reg. No. 30,422
Branch, John W.	Reg. No. 41,633	Kadievitch, Natalie D.	Reg. No. 34,196	Scull, Timothy B.	Reg. No. 42,137
Bremer, Dennis C.	Reg. No. 40,528	Karjeker, Shaukat	Reg. No. 34,049	Sebald, Gregory A.	Reg. No. 33,280
Bruess, Steven C.	Reg. No. 34,130	Kastelic, Joseph M.	Reg. No. 37,160	Skoog, Mark T.	Reg. No. 40,178
Byrne, Linda M.	Reg. No. 32,404	Kenelberger, Denise	Reg. No. 33,924	Spellman, Steven J.	Reg. No. 45,124
Carlson, Alan G.	Reg. No. 25,959	Keys, Jeramie J.	Reg. No. 42,724	Stoll-DeBell, Kirsten L.	Reg. No. 43,164
Caspers, Philip P.	Reg. No. 33,227	Knearl, Homer L.	Reg. No. 21,197	Storer, Shelley D.	Reg. No. 45,135
Chiapetta, James R.	Reg. No. 39,634	Kowalchuk, Alan W.	Reg. No. 31,535	Sumner, John P.	Reg. No. 29,114
Clifford, John A.	Reg. No. 30,247	Kowalchuk, Katherine M.	Reg. No. 36,848	Swenson, Erik G.	Reg. No. 45,147
Cochran, William W.	Reg. No. 26,652	Lacy, Paul A.	Reg. No. 38,946	Tellekson, David K.	Reg. No. 32,314
Daignault, Ronald A.	Reg. No. 25,968	Larson, James A.	Reg. No. 40,443	Trembath, Jon R.	Reg. No. 38,344
DaJey, Dennis R.	Reg. No. 34,994	Liepa, Mara E.	Reg. No. 40,066	Underhill, Albert L.	Reg. No. 27,403
Dalglish, Leslie E.	Reg. No. 40,579	Lindquist, Timothy A.	Reg. No. 40,701	Vandenburgh, J. Derek	Reg. No. 32,179
Daulton, Julie R.	Reg. No. 36,414	Lycke, Lawrence E.	Reg. No. 38,540	Wahl, John R.	Reg. No. 33,044
DeVries Smith, Kate	Reg. No. 42,157	McAuley, Steven A.	Reg. No. P-46,084	Weaver, Karrie G.	Reg. No. 43,245
DiPietro, Mark J.	Reg. No. 28,707	McDonald, Daniel W.	Reg. No. 32,044	Welter, Paul A.	Reg. No. 20,890
Edell, Robert T.	Reg. No. 20,187	McIntyre, Jr. William F.	Reg. No. P-44,921	Whipps, Brian	Reg. No. 43,261
Epp Ryan, Sandra	Reg. No. 39,667	Mueller, Douglas P.	Reg. No. 30,300	Wickham, J. Scot	Reg. No. 41,376
Glance, Robert J.	Reg. No. 40,620	Pauly, Daniel M.	Reg. No. 40,123	Williams, Douglas J.	Reg. No. 27,054
Goggin, Matthew J.	Reg. No. 44,125	Phillips, John B.	Reg. No. 37,206	Win, Jonelle	Reg. No. 41,980
Golla, Charles E.	Reg. No. 26,896	Plunken, Theodore	Reg. No. 37,209	Wu, Tong	Reg. No. 43,361
Gorman, Alarm G.	Reg. No. 38,472	Prendergast, Paul	Reg. No. 46,068	Xu, Min S.	Reg. No. 39,536
Gould, John D.	Reg. No. 18,223	Pytel, Melissa J.	Reg. No. 37,209	Zeuli, Anthony R.	Reg. No. 45,255

I hereby authorize them to act and rely on instructions from and communicate directly with the person/ assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould to the contrary .

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below (or if no address is specified, the first address):

☒ P.O. Box 2903; Minneapolis, MN 55402-0903 (Telephone No. (612) 332-5300)

☐ Independence Plaza, Suite 1400; 1050 17th St.; Denver, CO 80265-0100 (Telephone No. (303) 357-1670)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Insert FULL name(s)
AND address(es) of
actual inventors

2 0 1	FULL NAME OF INVENTOR	FAMILY NAME RYDIN	FIRST GIVEN NAME Cecilia	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY <u>Sävedalen, Sep</u>	STATE OR FOREIGN COUNTRY Sweden	COUNTRY OF CITIZENSHIP Sweden
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>Bvre Käll v. 43</u>	CITY <u>43360 Sävedalen</u>	STATE & ZIP CODE/COUNTRY SWEDEN
2 0 2	FULL NAME OF INVENTOR	FAMILY NAME EK	FIRST GIVEN NAME Carl-Gustaf	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY <u>Västra Frölunda</u>	STATE OR FOREIGN COUNTRY Sweden	COUNTRY OF CITIZENSHIP Sweden
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>Bergskädegatan 8</u>	CITY <u>426 58 VÄSTRA FRÖLUNDA</u>	STATE & ZIP CODE/COUNTRY SWEDEN
2 0 3	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
SIGNATURE OF INVENTOR 201 <u>[Signature]</u>		SIGNATURE OF INVENTOR 202 <u>[Signature]</u>		SIGNATURE OF INVENTOR 203
DATE <u>2 September 2004</u>		DATE <u>2 September 2004</u>		DATE

Each inventor must
sign & date

Note: No legalization or
other witness required

Revised 04/12/00

For Additional Inventors: ☐ Check box and attach sheet with same information, including date and signature.

BEST AVAILABLE COPY

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

S/N unknown

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

10/510396

Applicant: RYDIN et al.

Examiner:

DT04 Rec'd PCT/PTO 05 OCT 2004

Serial No.: unknown

Group Art Unit:

unknown

Filed: 14 September 2004

Docket No.:

5848.180USWO

Title: SYNTACTIC POLYOLEFIN COMPOSITION FOR PIPE COATING

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV372674022US

Date of Deposit: 5 October 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

By:

Name: David Ortiz

COMMUNICATION UNDER 37 C.F.R. §1.32(c)(3)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.32 (c)(3) please appoint the following 10 practitioners named in the Power of Attorney to be recognized by the U.S. Patent Office as being of record in the above-identified application:

Brian H. Batzli (32,960)
John A. Clifford (30,247)
John J. Gresens (33,112)
Curtis B. Hamre (29,165)
Robert A. Kalinsky (50,471)

James A. Larson (40,443)
Douglas P. Mueller (30,300)
Joshua N. Randall (50,719)
Michael D. Schumann (30,422)
Gregory A. Sebald (33,280)

The undersigned was named on the Power of Attorney.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

By

John J. Gresens
Reg. No. 33,112

Dated: 5 October 2004

JJG:hjm

BEST AVAILABLE COPY